

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

3525 NORTH DIVISION STREET,
SPOKANE, WASHINGTON,
TOGETHER WITH ALL
APPURTENANCES, FIXTURES,
ATTACHMENTS, AND
IMPROVEMENTS THERETO AND
THEREUPON,

Defendant.

CV-11-231-LRS

Default Judgment of Forfeiture

Plaintiff, United States of America filed its Verified Complaint for Forfeiture In Rem on June 10, 2011, for forfeiture of the Defendant property. ECF No. 1.

The Lis Pendens was recorded by the Spokane County Auditor in the Spokane County Land Records on June 21, 2011, and filed herein on July 12, 2011. ECF No. 3. Real property records show that the Defendant real property is owned by Quyen & Thanh, LLC, a Washington Limited Liability Company. The Washington Secretary of State - Corporations Division's records show that Quyen & Thanh, LLC's members are Quyen Le, Thanh Thi, Tam Huynh, and Thuy Thanh Thi Le.

On June 21, 2011, the United States Marshals Service posted the Notice of Complaint for Forfeiture (ECF No. 2), the Verified Complaint for Forfeiture In Rem (ECF No. 1), and the Lis Pendens (ECF No. 3) upon the Defendant real property. Proof of posting was filed herein on July 30, 2011. ECF No. 4.

1 On July 28, 2011, potential Claimants, D&G Accounting, as registered agent
2 for Quyen & Thanh, LLC, Quyen Le, Thanh T. Vo, Tam Huynh, Thuy Thi Le., were
3 served, via regular U.S. mail and via certified mail, at their last known addresses, with
4 a copy of the Verified Complaint for Forfeiture In Rem, Lis Pendens, and Notice of
5 Complaint for Forfeiture (said notice specifies the claim requirements under Rule G
6 and also specifically states the claim deadline), as reflected in the Certificates of
7 Service of Notice by Mail filed with the Court on July 30, 2011, under the above
8 cause number. ECF Nos. 5 - 9. Based upon the July 28, 2011, direct notice service
9 date, the last date to file a timely claim was September 1, 2011. ECF Nos. 5-1 - 9-1.
10 To date, no claim or response has been received from D&G Accounting, as registered
11 agent for Quyen & Thanh, LLC, Quyen Le, Thanh T. Vo, Tam Huynh, or Thuy Thi
12 Le.

13 In accordance with Fed. R. Civ. P. Rule G(4)(a)(iv)(C), Supplemental Rules for
14 Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of civil forfeiture
15 was posted on an official government website, www.forfeiture.gov, beginning July
16 15, 2011. ECF No. 15. Based upon the internet publication start date of July 15,
17 2011, the last date to file a timely claim was September 13, 2011.

18 No valid or timely claim of interest has been received or filed with the Court
19 from D&G Accounting, as registered agent for Quyen & Thanh, LLC, Quyen Le,
20 Thanh T. Vo, Tam Huynh, Thuy Thi Le, or from any other person or entity, and the
21 time allowed for filing of such a claim has expired.

22 On June 7, 2011, the United States filed its Notice(s) of Motion for Default,
23 which were served via regular U.S. mail and certified mail, return receipt requested,
24 upon D&G Accounting, as registered agent for Quyen & Thanh, LLC, Quyen Le,
25 Thanh T. Vo, Tam Huynh, and Thuy Thi Le. ECF Nos. 10 - 14. No responses were
26 filed.

27 On October 14, 2011, the United States filed its Motion(s) for Default, which
28 were served via certified U.S. mail, return receipt requested, upon D&G Accounting,

1 as registered agent for Quyen & Thanh, LLC, Quyen Le, Thanh T. Vo, Tam Huynh,
2 and Thuy Thi Le. ECF Nos. 16 - 25 Clerk's Orders of Default were entered by the
3 Clerk on October 17, 2011. ECF Nos. 26 - 30.

4 Now, therefore on motion by the Plaintiff, United States of America, for a
5 Default Judgment for Forfeiture, it is hereby

6 ORDERED, ADJUDGED and DECREED, as follows:

7 1. Plaintiff's Motion for Entry of Default Judgment of Forfeiture, ECF No.
8 31, is GRANTED. Pursuant to 21 U.S.C. § 881(a)(6), the Defendant real property is
9 forfeited to the United States of America, and no right, title, or interest in the
10 Defendant currency shall exist in any other party.

11 2. The United States Marshals Service shall dispose of the above-described
12 Defendant assets in accordance with law.

13 DATED this 28th day of November, 2011.

14 *s/Lonny R. Suko*

15 Lonny R. Suko
16 United States District Judge

17
18 Presented by:

19 Michael C. Ormsby
20 United States Attorney

21 s/James A. Goeke

22 James A. Goeke
23 Assistant United States Attorney